

RECEIVED

PROPOSED AMENDMENTS TO THE PERIODIC REVIEW RULE
(OAR 660-19-090) REGARDING EXTENSIONS OF TIME TO COMPLETE PLAN
AND ORDINANCE REVISIONS REQUIRED BY THE COMMISSION

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Statutory Authority:

ORS Chapter 183 and 197, specifically ORS 197.040.

Statement of Need:

The current rule requires the Commission to grant time extensions for plan and ordinance amendments required by the Commission. This amendment delegates this authority to the Director subject to the same standards now applied by the Commission. This amendment also provides for an appeal of the Director's action to the Commission. This will expedite the process, not take up the Commission's limited meeting time, and enable local governments to get an extension without waiting for a Commission meeting.

Principal Documents Relied Upon:

1. ORS Chapters 197 and 183; and
2. OAR 660, Division 1, Procedural Rules including Model Rules of Procedure;

Fiscal Impact:

The fiscal impacts of the proposed rule amendments will be negligible. The amendment will expedite the granting of needed extensions. This will allow local jurisdictions to spend their limited time completing their periodic review work rather than before the Commission seeking extensions. This should reduce local costs and better use of the grant money provided local governments to complete periodic review.

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NOTICE OF HEARING
BY

OCT 20 3 34 PM '88

THE LAND CONSERVATION AND DEVELOPMENT COMMISSION

SECRET

IN THE MATTER OF PROPOSED AMENDMENTS TO THE PERIODIC REVIEW RULE
(OAR 660-19-090) REGARDING EXTENSIONS OF TIME TO COMPLETE PLAN
AND ORDINANCE REVISIONS REQUIRED BY THE COMMISSION

1. On Tuesday November 29, 1988, the Land Conservation and Development Commission will hold a public hearing to consider an amendment to its Periodic Review rule (OAR 660-19-090). The proposed amendment would allow the Director to extend the time a jurisdiction has to complete the required amendments following review by the Commission. The Commission meeting will begin at 8:30 AM and will be held in Hearing Room F of the State Capitol, Salem Oregon.
2. The proposed amendment adds the following to OAR 660-19-090(6):

(6) An order issued by the Commission pursuant to OAR 660-19-090(5)(b) shall specify a reasonable length of time for the local government to complete its plan and land use regulation amendments to comply with the Commission's order. Extensions of time may be granted by the Director in the same manner provided for by OAR 660-19-045(3) to (6).

This amendment will allow the Director to grant time extensions without Commission approval when a jurisdiction requires more time than the Commission initially approved. The same standards which the Commission must now apply to such changes would have to be applied by the Director. The Director's action is appealable to the Commission pursuant to OAR 660-19-045(6).

3. Interested persons are invited to present oral or written comments at the hearing. Or, they may present written comments before November 18, 1988, to the Department of Land Conservation and Development, 1175 Court Street NE, Salem, Oregon 97310. Comments submitted by this date will be provided to the Commission prior to its hearing.
4. Copies of the citation of statutory authority, statement of need, principal documents relied on, and statement of fiscal impact are attached as part of this notice and are available at the Department's Salem office, or by calling 373-0064.

DATED October 20, 1988

FOR THE COMMISSION:


James F. Ross, Director
Department of Land
Conservation and Development

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